

Harrington Park  
ZONING BOARD OF ADJUSTMENT  
**REGULAR MEETING MINUTES**  
Wednesday, September 22, 2021 @ 7:00PM

**Chairman McLaughlin called the meeting to order at 7:01pm.**

**Open Public Meeting Act Announcement:** In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

Pursuant to Governor Murphy's Executive Orders #107 and 108 ordering Statewide lockdowns, and P.L. 2020, c. 34 permitting public bodies to conduct meetings via electronic means during declared states of emergency, the Regular meeting of the Borough of Harrington Park Board of Adjustment scheduled for **September 22, 2021** at 7:00 p.m. is being conducted remotely from the electronic meeting platform Zoom.us. Members of the public can join the meeting and participate during the public comment period by joining the meeting using the Zoom mobile application on a smartphone or tablet, joining the meeting by laptop with microphone capabilities, or dialing in using a telephone to the Zoom teleconference system. Information on how to join the meeting electronically appears in the borough website.

The zoom phone access was verified by CL.

**ROLL CALL**

<b>Roll Call</b>	<b>PRESENT</b>	<b>ABSENT</b>
(RM) Chairman Richard McLAUGHLIN	X	
(MR) Vice Chair Michael ROTH	X	
(RB) Robert BUDINICH		X
(JC) Jin CHO	X	
(SL) Steve LOTT	X (arrived 7:05pm)	
(SM) Stephen MARTINEZ		X
(GZ) Gail ZACCARO (alternate a)	X	
(RF) Robert FRANK (alternate b)		X

Also present: (JS) John Schettino, Board Attorney  
(CL) Carolyn Lee, Land Use Secretary

**MINUTES FOR APPROVAL**

August 25, 2021 minutes

There were no comments regarding the minutes.

<b>Vote to approve the August 25, 2021 minutes.</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH	X		X			
Robert BUDINICH						X
Jin CHO					X	
Steve LOTT						X
Stephen MARTINEZ						X
Gail ZACCARO (alternate a)		X	X			
Robert FRANK (alternate b)						X

JS confirmed that the minutes could be approved since there is quorum even though JC abstained.

### **INVOICES FOR APPROVAL**

CL shared the screen listing the invoices on the agenda.

Law Office of John L. Schettino	Attendance at meeting - 8/25/21	\$150.00
Law Office of John L. Schettino	38 Downing St. Resolution (Escrow)	\$250.00
Law Office of John L. Schettino	76 Kline St. Letter and Resolution (Escrow)	<u>\$150.00</u>
<b>TOTAL</b>		<b>\$550.00</b>

<b>Vote to approve the invoices listed on the agenda.</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH	X		X			
Robert BUDINICH						X
Jin CHO					X	
Steve LOTT						X
Stephen MARTINEZ						X
Gail ZACCARO (alternate a)		X	X			
Robert FRANK (alternate b)						X

### **HEARINGS**

SL entered the meeting at 7:05pm.

1. 5 LaRoche Ave. - Richard Guerra (Front yard variance for an addition)

Mr. Guerra was sworn in. His house does not have a garage and is becoming a burden to his family for reasons such as adverse weather, space for cars, and storage space. He applied for a permit and was told they were not in compliance. The present home is a 4 bedroom ranch dwelling. The addition will be a 2 car garage. It will be a one story addition. The house is at the intersection of LaRoche, and The Parkway and Schraalenburgh is on the right. It is a corner property, but is oddly triangular shaped and has two front yards. The setback is 35ft and is burdensome to honor that. The front yard setback along LaRoche is about 45ft. The Parkway side setback is 10ft at one point and the furthest point would be within the setback. Mr. Guerra said that the architect rendered the dark grey area in the site plan, but did not know what it was. The driveway would be short and suitable for the entrance of the garage. The doors would be facing Schraalenburgh. GZ asked about the driveway and how he would get to the garage. Mr. Guerra indicated the location of the current driveway on the site plan. The new driveway would not be circular. The new driveway would be in the grey space leading to Parkway, but not that shape. Mr. Guerra will remove the old driveway and replace it with grass. There is a berm along Parkway closer to the addition. If the driveway was put there, it would reduce some privacy and take away from the back yard. The members asked if the architect could draw out the location of the driveway since the details would be helpful. Mr. Guerra confirmed that there will be one driveway and not two driveways.

The board members did not have any additional questions.

RM opened the meeting to the public. CL confirmed there were no members of the public waiting to ask questions or provide comments for this application. No emails were received regarding this application. RM closed the public portion of the meeting.

RM explained that the board considers testimony in 2 meetings. The testimony is heard in the first meeting and the following meeting next month. In the interim, the board members go out individually and look at the property and familiarize themselves with the applicant's house and the neighborhood. RM asked Mr. Guerra to mark out the area of the proposed garage and where the proposed driveway will come from the street.

Mr. Guerra said that the developed coverage is about 20% of the property and is consistent with other ordinances except the front yard setback. There is nothing but a front yard surrounding the property. Mr. Guerra thanked the board for their time.

SL was present for the entire hearing.

## **RESOLUTIONS**

1. 38 Downing Place - Patrick & Alexandra Kavanah (Front yard setback, side yard setback, lot coverage and bedroom variances for an addition)

The members had a chance to review the written resolution. CL circulated the updated resolution with RM comments that were circulated earlier in the week.

<b>Vote to approve the written resolution for 38 Downing Place addition.</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH		X	X			
Robert BUDINICH						X
Jin CHO					X	
Steve LOTT			X			
Stephen MARTINEZ						X
Gail ZACCARO (alternate a)	X		X			
Robert FRANK (alternate b)						X

## 2. 76 Kline Street - William and Jessica Falkenstern (extension of variance approval)

The members did not have any comments regarding the resolution.

<b>Vote to approve the resolution for 76 Kline St.</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH	X		X			
Robert BUDINICH						X
Jin CHO					X	
Steve LOTT			X			
Stephen MARTINEZ						X
Gail ZACCARO (alternate a)		X	X			
Robert FRANK (alternate b)						X

## **MEETING OPEN TO THE PUBLIC**

No members of the public waiting to address the board.

## **OLD BUSINESS**

No old business.

## **NEW BUSINESS**

No new business.

## **ADJOURN**

Motion: MR Second: SL

In favor, all said “aye”. None opposed.

Meeting adjourned at 7:23pm.

NEXT SCHEDULED ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
**Wednesday, October 27, 2021 at 7pm**